

## FOURTH DAY.

Senate Chamber,  
Austin, Texas,

Friday, January 17, 1913.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor A. B. Davidson.

Roll call, a quorum being present, the following Senators answering to their names:

Astin.	Nugent.
Bailey.	Paulus.
Brelsford.	Real.
Carter.	Taylor.
Collins.	Terrell.
Conner.	Townsend.
Cowell.	Vaughan.
Darwin.	Warren.
Gibson.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.
Morrow.	

Absent.

Greer. Kauffman.

Absent—Excused.

Hudspeth. Murray.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Johnson, the same was dispensed with.

## EXCUSED.

On account of important business:

Senator Kauffman, for balance of this week, on motion of Senator Willacy.

Senator Greer, for balance of week, on motion of Senator Warren.

Senator Terrell, for balance of this week, on motion of Senator Johnson.

## PETITIONS AND MEMORIALS.

See appendix for petitions and memorials.

## STANDING COMMITTEE REPORTS.

See appendix for standing committee reports.

## REPORT OF COMMITTEE ON RULES.

Senator Lattimore offered the following report from the Committee on Rules:

Senate Chamber,

Austin, Texas, January 17, 1913.

To the Senate of Texas:

We, your Committee on Rules, to whom was referred the proposed amendment to amend the Senate Rules by adding Rule 30a in reference to printing bills, beg leave to report that we have had said amendment under consideration, and report back to your honorable body with the recommendation that such amendment be adopted.

LATTIMORE, Chairman;

GIBSON,

DARWIN.

On motion of Senator Lattimore, the regular order of business was suspended for the purpose of considering the above committee report.

The Senate rule requiring committee reports to lie over for one day was suspended, on motion of Senator Lattimore.

The committee report was then read and adopted.

## BILLS AND RESOLUTIONS.

By Senator Westbrook:

Senate bill No. 41, A bill to be entitled "An Act to amend Article 4980, Title 72, of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature, so as to provide that the penalty for the charge or collection of usurious interest shall be the forfeitures of principal as well as interest, and repealing all laws in conflict herewith, and providing an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator Johnson:

Senate bill No. 42, A bill to be entitled "An Act to amend Title 5, Section 69, of the Revised Civil Statutes of 1911, and Chapter 16, Section 2, of the General Laws of the State of Texas passed by the Thirty-second Legislature at its First Called Session, relating to judicial districts, by detaching Bailey county from Castro county, to which it is attached for judicial purposes in the Sixty-fourth Judicial District, and attaching it to Parmer county for judicial purposes within the Sixty-ninth Judicial District, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Darwin:

Senate bill No. 43, A bill to be entitled "An Act to amend Article 7379, Chap-

ter 2, Title 126, of the Revised Civil Statutes of 1911, relating to the gross receipt tax based upon gross receipts of wholesale dealers in or distributors of intoxicating liquors; and 'wholesale dealer' being defined so as to include every individual, company, corporation selling intoxicating liquors, both to retail dealers, or delivering on consignment to their agents for retail, and to consumers where it is not to be drunk on the premises, and providing that the tax be based upon the combined sales to both retail dealer and consumer as above stated, and also providing for the keeping of a plain, legible record of such sales, and providing for inspection of such records by the proper officer, and providing a penalty for a violation to keep a record of such sale, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Gibson:

Senate bill No. 44, A bill to be entitled "An Act to prevent fraud upon the public by requiring manufacturers to place their own names and addresses upon manufactured articles, together with a statement of the material, or materials, used, and fixing a penalty for its violation."

Read first time and referred to Committee on Public Health.

By Senator Paulus:

Senate bill No. 45, A bill to be entitled "An Act more clearly defining some of the duties of the Attorney General, district and county attorneys of this State, and imposing other and additional duties upon such officers, and prohibiting the Attorney General from giving counsel and advice except to certain public officers named, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Bailey (by request):

Senate bill No. 46, A bill to be entitled "An Act for the regulation of the issuance and sale of railroad securities, and providing the circumstances and manner according to which such securities may be issued and sold, and how the proceeds thereof shall be appropriated; providing penalties for the violation of this act; providing that rates of railroads shall not be controlled by the amount of their securities, but shall be based on the value of their property,

and repealing all laws or parts of laws in conflict herewith."

Read first time and referred to Committee on Internal Improvements.

By Senator Morrow (by request):

Senate bill No. 47, A bill to be entitled "An Act to amend Title 51, Chapter 1, Revised Civil Statutes of 1911, on the subject of escheat, by adding to said chapter an article to be numbered Article 3205a, making it the duty of the Attorney General to institute all suits and proceedings necessary to recover for the State of Texas all property that has heretofore or that may hereafter escheat and vest in the State, and prescribing procedure for procuring evidence preliminary to the filing of such suits or proceedings."

Read first time and referred to Judiciary Committee No. 1.

By Senators Johnson, Weinert, McNealus and Vaughan:

Senate bill No. 48, A bill to be entitled "An Act to amend Articles 3982, 3983, 3984, 3987, 3988, 3990, 3992, 3995, 3998, 3999, 4004, 4005, 4006, 4008, 4009, 4013, 4014, 4016, 4019, 4020 and 4021, of Chapter 2, Title 63, Revised Statutes of Texas; and to amend said chapter and title by adding thereto Article 4022, said amended and added articles providing for a better protection of the fish and oyster industry of this State, prescribing riparian rights, the prerequisites to the issuance of license to catch fish, oysters, etc.; providing for examination of location, surveys, etc.; permit to gather seed oysters, to whom and by whom granted, the distribution of fines collected and disposition of funds, the size of the meshes of seines, nets, etc.; and providing the prerequisites for permission to seine, etc.; and conditions upon which permission may be granted to use dredge on reefs, providing for the appointment of deputy fish and oyster commissioners, and defining and prescribing certain duties of the Game, Fish and Oyster Commissioner, and his deputies, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator McGregor:

Senate bill No. 49, A bill to be entitled "An Act to provide for a commission to revise, digest, re-write, simplify and publish, under its supervision, the civil and criminal laws of the State of Texas; requiring said commission to present said revision in two bills, one to contain all the civil and the other all the statutes relating to the criminal laws

of Texas, and requiring said commission to present two other bills, one to embody such reforms in the civil and the other such reforms in the criminal procedure as it may deem wise and expedient: making an appropriation, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Carter:

Senate bill No. 50. A bill to be entitled "An Act to amend the charter of the city of Longview, entitled 'An Act to incorporate the city of Longview, and to grant it a new charter; to define its powers and to prescribe its duties and liabilities, and declaring an emergency,' as passed by the Thirty-second Legislature, by amending Sections 7, 25, 26 and 72, and by adding Sections 26a and 72a, permitting the taxation of automobiles and validating certain bond issues, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senators Vaughan and Carter:

Senate bill No. 51. A bill to be entitled "An Act to prohibit falsely stating the consideration in any deed, deed of trust, mortgage or other instrument in writing, transferring or affecting the title to real or personal property for the purpose of defrauding another, or for the purpose of aiding some other person to defraud another, and prescribing the penalty for the violation of this act, and to regulate the manner of proof in prosecutions against persons charged with a violation of this act."

Read first time and referred to Judiciary Committee No. 2.

By Senators Carter and Morrow:

Senate bill No. 52. A bill to be entitled "An Act to prohibit any person from knowingly selling or giving intoxicating liquors to any inmates of the Texas Confederate Home, except upon the written consent of the Superintendent of said Home, or upon the prescription of a physician, and providing a penalty therefor."

Read first time and referred to Judiciary Committee No. 2.

By Senators Carter and Morrow:

Senate bill No. 53. A bill to be entitled "An Act to prohibit any person from purchasing from the inmates of the Texas Confederate Home any article of clothing furnished to said inmates by the State of Texas, and to provide a penalty therefor."

Read first time and referred to Judiciary Committee No. 2.

By Senators McGregor and Vaughan:

Senate bill No. 54. A bill to be entitled "An Act providing for the regulation and control of hospitals maintained or established or conducted by means of funds derived from deductions from the wages of or collections from the employes of railway companies or receivers thereof, providing that the collectors or possessors of such funds and property in which such funds have been invested, shall be trustees thereof for the benefit of such employes, and providing for the selection of the members of the boards for the management of such hospitals, and for the powers of such boards, for the free transportation of sick and injured employes to and from such hospitals, and fixing penalties for violation, and providing for the collection of such penalties, and providing an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senator Warren:

Senate bill No. 55. A bill to be entitled "An Act to amend Article 762 of the Code of Criminal Procedure of the State of Texas as adopted at the Regular Session of the Twenty-fourth Legislature, and prescribing that after conviction of a defendant of a lower degree of offense than that for which he is indicted, that on any second or subsequent trial, the first trial shall not be considered an acquittal of the higher offense, and prescribing that at such second or subsequent trial, the case shall stand for trial de novo and as if no former trial had been had, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Warren:

Senate bill No. 56. A bill to be entitled "An Act to amend Article 395 of the Penal Code of the State of Texas prohibiting betting on elections so as to make it an offense to offer to wager or bet upon elections, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Johnson:

Senate bill No. 57. A bill to be entitled "An Act to validate incorporations of towns and villages heretofore attempted to be made under the provisions of Chapter 11, Title 18, of the Revised Civil Statutes of 1895, and of the law providing for the same under Chapter 14, Title 22, of the Revised Statutes of 1911, but which attempted incorporations

failed to comply with all the requirements of said chapters and titles, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senators Brelsford and Hudspeth (by request):

Senate bill No. 58, A bill to be entitled "An Act to provide an adequate system of laws relating to irrigation, and declaring the unappropriated waters of the State the property of the State; authorizing their appropriation, storage and diversion for beneficial uses; creating a board of water control and prescribing its powers, duties and compensation; defining water rights and prescribing the method of acquiring, perfecting and preserving same; requiring application to be made to the State irrigation engineer for permits to construct irrigation works, and prescribing the method thereof; limiting the right to the waters of the State to beneficial uses, and declaring forfeitures for abandonment of use; prescribing standards for the measurement of water; providing a method for the adjudication of water rights by the board of water control; authorizing appeals from the decisions of the State Irrigation Engineer and of the board of water control, and regulating the manner thereof; prescribing the method of serving notices on claimants and appropriators of water and declaring the effect of failure to observe the same; authorizing the issuance of certificates of water right and the recording thereof; fixing certain fees; creating the office of water commissioner, and prescribing the privileges, duties and compensation thereof; authorizing the appointment of special assistant engineers, and prescribing their powers, duties and compensation; dividing the State into water divisions and water districts; prescribing the method for determining and recording titles to irrigation works, and establishing the period of limitation to quiet titles thereto; providing for the exclusion of fish from irrigation canals; regulating partnership ditches; conferring the right of eminent domain in aid of construction of irrigation works; prohibiting the seeding of Johnson grass or Russian thistle on irrigation canals; prescribing penalties for violations of the provisions of this act; requiring the capping of flowing artesian wells; authorizing the chartering of corporations to construct and operate irrigation works; authorizing contracts for the supply and delivery of water, and creat-

ing liens to secure payment thereof; authorizing the acquisition of lands by irrigation companies, and requiring the alienation thereof; repealing all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Mining and Irrigation.

By Senator Brelsford:

Senate bill No. 59, A bill to be entitled "An Act to amend Article 7313, Chapter 8, Title 124, Revised Statutes of Texas; and Article 1283, Title 17, Chapter 4, Penal Code of Texas, and to further empower the Live Stock Sanitary Commission of the State of Texas to protect the live stock against contagious, infectious or communicable diseases, and to provide penalties for violations of the laws and of the rules and regulations of the Live Stock Sanitary Commission prohibiting the movement of live stock and the prevention of the spread of contagious diseases, and for violation of the quarantine rules and regulations of the Live Stock Sanitary Commission."

Read first time and referred to Committee on Stock and Stock Raising.

By Senators Vaughan, Watson, Brelsford and Morrow:

Senate Joint Resolution No. 2, Proposed amendment to State Constitution, amending Article 5 of the Constitution relating to the Judicial Department of the State government by adopting in lieu thereof the following:

Senate Joint Resolution to amend Article 5 of the Constitution of the State of Texas in regard to the Judicial Department.

Read first time and referred to Committee on Constitutional Amendments.

By Senators Taylor, Townsend and Vaughan:

Senate Joint Resolution No. 3, Providing for the ratification and adoption by the State of Texas of the amendment to Section 3 of Article 1 of the Constitution of the United States, proposed by the Sixty-second Congress of the United States, providing that Senators be elected by the people of the several States.

Read first time and referred to Committee on Constitutional Amendments.

#### SIMPLE RESOLUTION.

By Senator Townsend:

Whereas, The morning papers carry an item to the effect that President-

elect Woodrow Wilson has requested Congressman Slayden to withhold his recommendation as to the position of postmaster for San Antonio, to the end that he could appoint the Hon. Geo. T. Armistead, that sterling Democrat, to said position, in recognition of his friendship for him of long standing and for his loyal support of the principles of good government in the late campaign; be it

Resolved by the Senate, That we congratulate the President-elect upon the compliment paid this sterling Democrat, Geo. T. Armistead, and that a copy of this resolution be forwarded to the President-elect by the Secretary of this body.

Signed—Astin, Bailey, Brelsford, Carter, Collins, Conner, Cowell, Darwin, Gibson, Hudspeth, Johnson, Lattimore, McGregor, McNealus, Morrow, Nugent, Paulus, Real, Taylor, Terrell, Townsend, Vaughan, Warren, Watson, Weinert, Westbrook, Wiley, Willacy.

The resolution was read and unanimously adopted, and the Secretary was instructed to sign all the names of the members present to the same.

#### POINT OF ORDER ON SENATE BILL NO. 50.

Pending the introduction of bills, Senator Collins made the point of order against Senate bill No. 50, providing for a special charter for the city of Longview, holding that what is known as the Home Rule amendment to the Constitution, voted on at the last election, would control in the premises, and that the Legislature had no jurisdiction in the matter.

The Chair (Lieutenant Governor Davidson) overruled the point of order, holding that the bill would, under the Constitution, have to be referred to a committee before any action could be had on it; the Chair holding, however, that, in his judgment, the Home Rule amendment had been properly adopted by the people.

#### SIMPLE RESOLUTION.

By Senator Weinert:

Whereas, Senator Murray is detained at his home in Floresville by sickness; be it

Resolved, That the Senate regrets the absence from this body of this good, old and experienced legislator, wishes for

him a speedy restoration to health and an early assuming of his duties here.

WEINERT,  
PAULUS,  
WARREN.

The resolution was read and adopted.

#### SPECIAL COMMITTEE REPORT.

By Senator Warren:

January 17, 1913.

To the President of the Senate.

Sir: The undersigned begs to report that by simple resolution adopted by the Thirty-second Senate during the First Called Session, as shown on page 61 of the Senate Journal, he was appointed, in conjunction with Senators Bryan and Ward, to see that a portrait of Governor T. M. Campbell was procured and suitably placed in the Capitol; that, before the adjournment of said Called Session, said committee met and agreed to leave the matter of selection of the portrait with the family and relatives of Governor Campbell; that subsequently, to-wit, about a week or ten days before the convening of the present session of the Legislature, the undersigned was advised of the selection by the family of Governor Campbell of a portrait which had been painted by Orlando Rouland, of New York, which it seems had been presented in competition with another portrait painted by Miss Cronin, an artist of Palestine; that the appropriation made by the Thirty-second Legislature permitted the payment of as much as \$500 for said portrait, but that a communication was received by the undersigned on the evening of the 16th inst. from Miss Cronin, offering her portrait to the State for the sum of \$300; that the undersigned has not, however, heard directly from the other artist as to what price he expects for the portrait of Governor Campbell which has been accepted by the Campbell family as hereinbefore stated. Wherefore this report is presented to the Senate for instructions as to what further action is desired by the Senate.

Respectfully,

WARREN, Chairman.

The above report was read, and

Senator Lattimore made the following motion in writing:

Moved that Senator Warren of the committee appointed to purchase a portrait of ex-Governor Campbell, acting in conjunction with the Senators from Van

Zandt and Dallas, be instructed to ascertain at the earliest opportunity the price of the portrait of ex-Governor Campbell which has been approved by the committee, and if they can agree on such price to purchase said portrait, and so report to this Senate.

The above motion was read and adopted.

#### SIMPLE RESOLUTION.

By Senator Warren:

Whereas, The Senate of Texas at each session, regular and special, for ten years past, has been so acceptably served and assisted in its labors by Hon. Clyde D. Smith, who, during said period was its faithful Secretary; and

Whereas, Since the last session of the Senate he has been called from his earthly labors to his eternal home; therefore, be it

Resolved by the Senate, That we sadly miss him in our labors and profoundly sympathize with his loved ones in their bereavement.

WARREN.  
McNEALUS,  
TERRELL.

The above resolution was read, and Senator Lattimore offered the following amendment:

Amend by instructing Senators Warren and McNealus to present in person to the widow of Hon. Clyde D. Smith a copy of the resolution of regret at his death, signed by the names of each Senator and the President of this Senate.

The amendment was adopted.

The resolution was read and unanimously adopted, and, on motion, the Secretary was instructed to sign the names of all the Senators present to same.

Signed—Astin, Bailey, Brelsford, Carter, Collins, Conner, Cowell, Darwin, Gibson, Johnson, Lattimore, McGregor, McNealus, Morrow, Nugent, Paulus, Real, Taylor, Terrell, Townsend, Vaughan, Warren, Watson, Weinert, Westbrook, Wiley, Willacy.

Morning call concluded.

#### SENATE CONCURRENT RESOLUTION NO. 2.

The Chair laid before the Senate, as regular order,

Senate Concurrent Resolution No. 2, Be it resolved by the Senate of Texas, the House of Representatives concurring,

That the Legislature of Texas proceed in the regular way provided by law on Tuesday, January 28, 1913, to elect a United States Senator from Texas for the term beginning March 4, 1913, and to elect a United States Senator to the vacancy in said office, created by the resignation of Senator Joseph W. Bailey.

On motion of Senator Vaughan the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this report).

On motion of Senator Vaughan the committee report, which provided that the resolution be not printed, was adopted.

The resolution was then read and adopted by the following vote:

#### Yeas—26.

Astin.	Morrow.
Bailey.	Nugent.
Brelsford.	Paulus.
Carter.	Real.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Johnson.	Watson.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.

#### Absent.

Weinert.

#### Absent—Excused.

Greer.	Kauffman.
Hudspeth.	Murray.

Senator Vaughan moved to reconsider the vote by which the resolution was adopted and lay that on the table.

The motion to table prevailed.

(Senator Nugent in the chair.)

#### RECESS.

On motion of Senator Bailey, the Senate, at 11:50 o'clock, recessed until 2 o'clock today.

#### AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson.

#### SIMPLE RESOLUTION.

By Senator Westbrook:

Be it resolved by the Senate of the State of Texas, That the Sheppard,

Kenyon bill now pending in the Congress of the United States, which is designed to prohibit the interstate shipments of intoxicating liquors into territory which has prohibited the sale thereof be endorsed by this body, and we heartily recommend to our Senators and Representatives in Congress the passage of said measure.

COLLINS.  
WESTBROOK.

The resolution was read, and Senator Watson moved to refer it to Judiciary Committee No. 2, which motion was adopted.

#### FIRST HOUSE MESSAGE.

Hall of the House of Representatives.  
Austin, Texas, January 17, 1913.

Hon. A. B. Davidson, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

House Concurrent Resolution No. 1, providing the form for printed bills:

Be it resolved by the Legislature of the State of Texas, both houses concurring, That the House of Representatives of the Thirty-third Legislature be authorized to change the form of the printed bills, so as to provide for a page of forty lines of ten-point type, exclusive of the folio line, each line to contain thirty-three and six-tenths of ten-point ems, for which the contractor for printing shall be paid \$1.35 per printed page.

Senate Concurrent Resolution No. 1, providing for a joint committee, to count the vote for Governor and Lieutenant Governor.

House Concurrent Resolution No. 2, Recommending the passage of bill pending in Congress regulating the shipment of liquor into local option territory.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

#### RESOLUTIONS READ AND REFERRED.

The Chair, Lieutenant Governor Davidson, had referred, after their captions had been read, the following House concurrent resolutions:

House Concurrent Resolution No. 1, referred to Committee on Public Printing.

House Concurrent Resolution No. 2, referred to Judiciary Committee No. 2.

#### SPECIAL COMMITTEE APPOINTED.

The Chair announced the appointment of the following special committee, in accordance with the provisions of Senate Concurrent Resolution No. 1:

Senators Nugent, Watson and Gibson.

#### SECOND HOUSE MESSAGE.

Hall of the House of Representatives.  
Austin, Texas, January 17, 1913.

Hon. A. B. Davidson, President of the Senate:

Sir: I am directed by the House to inform the Senate that the Speaker has appointed the following committee to count the vote for Governor and Lieutenant Governor and arrange for their inauguration:

Jordan, Henry of Wichita, Robbins, Woods of Navarro and Fountain.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

#### SIMPLE RESOLUTION.

By Senator Taylor:

Whereas, Hon. Geo. C. Pendleton, former presiding officer of this body and former Speaker of the House of Representatives, has suffered a second stroke of paralysis at his home at Temple, Texas; and

Whereas, As a public servant he has rendered distinguished service both to the State and nation, and in public and private life has richly displayed those lovable traits of character that have endeared him to all who have known him;

Resolved, That the members of the Senate extend to Governor Pendleton and his family their sincere sympathy in this hour of affliction, and trust that he shall be restored to health and spared to his family and friends, and to further service to the State and nation.

Resolved further, That a copy of these resolutions be printed in the Journal of the Senate, and a copy wired to Hon. Geo. C. Pendleton by the Secretary of the Senate.

The above resolution was read and adopted, by a rising vote.

#### ADJOURNMENT.

On motion of Senator Watson, the Senate, at 2:35 o'clock p. m., adjourned until 10 o'clock Monday morning.

## APPENDIX.

## PETITIONS AND MEMORIALS.

By Senator Collins:

Petition numerously signed by retail grocerymen of the city of Beaumont requesting the Legislature to enact a law prohibiting retail grocery stores from opening their places of business on Sunday for the purposes of trade or traffic.

By Senator Cowell:

Petition numerously signed by citizens of Gainesville, Cooke county, urging legislation permitting the Missouri, Kansas & Texas Railway Company of Texas leasing for a term of not less than twenty-five years, the Texas Central Railway Company and other subsidiary properties now operated by the Missouri, Kansas & Texas Railway Company of Texas.

By Lieutenant Governor Davidson:

Petition numerously signed by residents on the Orphan Branch of the Katy Railroad endorsing the proposed application of the Katy Railroad Company for an act empowering the last named company to lease and operate the Beaumont & Great Northern Railway.

## COMMITTEE REPORTS.

Committee Room,  
Austin, Texas, January 16, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

Senate Concurrent Resolution No. 2. Providing that the Legislature proceed in the regular way provided by law, on Tuesday, January 28, 1913, to elect a United States Senator from Texas for the term beginning March 4, 1913, and to elect a United States Senator to fill the vacancy in said office created by the resignation of Senator Joseph W. Bailey.

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, and be not printed.

VAUGHAN, Chairman.

Committee Room,  
Austin, Texas, January 17, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed

Bills have carefully examined and compared

Senate bill No. 3, A bill to be entitled "An Act making appropriation for the support and maintenance of the Attorney General's Department for the remainder of the fiscal year ending August 31, 1913,"

And find the same correctly engrossed.  
TERRELL, Acting Chairman.

Committee Room,  
Austin, Texas, January 17, 1913.

Hon. A. B. Davidson, President of the Senate:

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 1, "An Act appropriating the sum of \$120,000, or so much thereof as may be necessary, out of the general revenue not otherwise appropriated, to pay the mileage and per diem of members, and per diem of officers and employees of the Thirty-third Legislature, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 9:10 a. m., presented same to the Governor for his approval.

GIBSON, Chairman.

Committee Room,  
Austin, Texas, January 17, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 2, "An Act appropriating \$20,000, or so much thereof as may be necessary, out of the general revenue not otherwise appropriated, to pay the contingent expenses of the Thirty-third Legislature, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 9:10 a. m., presented same to the Governor for his approval.

GIBSON, Chairman.

## FIFTH DAY.

Senate Chamber,  
Austin, Texas,  
Monday, January 20, 1913.

The Senate met pursuant to adjournment and was called to order by Lieutenant Governor A. B. Davidson.

Roll call, a quorum being present, the following Senators answering to their names: